

FILED

NOV 2 2023

UNITED STATES DISTRICT COURT
 for the
 Western District of Texas

CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY *[Signature]*
 DEPUTY CLERK

United States of America)
 v.)
 Quintana-Sotelo, Eduardo)
)
)
)
)

Case No.

*EP 13-M-3535-RFC**Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October, 30, 2023 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 933 (a)(3)	Trafficking in Firearms

This criminal complaint is based on these facts:

See attached.

Continued on the attached sheet.

Oath Telephonically Sworn
 At 1:08 PM
 Fed.R.Crim.P.4.1(b)(2)(A)

Zachary T Seeger
 Complainant's signature

Zachary Seeger, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/02/2023

[Signature]

Judge's signature

City and state: El Paso, Texas

Robert F. Castaneda, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

On October 30, 2023, ATF Agents were contacted by the Texas Department of Public Safety's Criminal Investigation Division relating to the arrest of Eduardo Quintana-Sotelo. DPS Agents informed ATF Agents, the defendant was stopped on I-10 West near Mile Marker 60, El Paso, Texas (which is located within the Western District of Texas) for an equipment violation (Broken Right Headlight). During the stop, DPS Agents received consent from the defendant to search the vehicle which resulted in the discovery of a firearm described as a: Manufacturer: FN, Model: M249 Saw, Caliber: 5.56X45mm rifle, Serial #M249SA06449. DPS Agents conducted a criminal history check of the defendant and found him to be a convicted felon. DPS Agents initiated an arrest later transporting the defendant to their holding station located at 1100 block of Scott Simpson Drive.

ATF Agents conducted a custodial interview of QUINTANA-SOTELO. QUINTANA-SOTELO was read his Miranda Rights and acknowledged he understood the rights read later agreeing to speak with ATF Agents about the recent traffic stop. The defendant informed your affiant, he was transporting the FN rifle for a Mexican Cartel group. QUINTANA- SOTELO received a call from a member of the cartel who told him to cross into the United States to pick up the firearm from a relative who resides in San Antonio, Texas.

QUINTANA-SOTELO crossed into Presidio, Texas on the 28th of October and drove to San Antonio, Texas to meet with a relative of the cartel member. QUINTANA-SOTELO met with the relative on the 29th of October and picked up the firearm. QUINTANA- SOTELO was instructed to drive to Horizon City, Texas to meet with another individual associated with the cartel to drop off the weapon. QUINTANA-SOTELO informed Agents, he did not know what the receiving individual was going to do with the firearm after it was dropped off.

QUINTANA-SOTELO informed Agents, he (QUINTANA-SOTELO) was indebted to this cartel for approximately \$45,000. The defendant stated this was from an incident which occurred on September 25th, 2023, at the Ysleta Port of Entry located on 797 S Zaragoza Rd, El Paso, TX 79927. QUINTANA-SOTELO met with a someone to pick up a Toyota Corolla. At the time of pickup, QUINTANA-SOTELO asked if there was any contraband inside the car. The person told him (QUINTANA-SOTELO) no and instructed the defendant to travel to El Paso to drop the car off at a local El Paso, Texas dealership near Alameda Street.

When QUINTANA-SOTELO got to the port of entry, QUINTANA-SOTELO noticed two cars following him. QUINTANA-SOTELO informed your affiant; it was then he (QUINTANA-SOTELO) realized there was contraband inside the vehicle. QUINTANA-SOTELO claims he met with U.S. Customs and Border Protection officers and requested to go to the secondary inspection so CBP officers would focus on him (QUINTANA-SOTELO) and so the other cars associated could enter the port of entry without issue. QUINTANA-SOTELO stated he believed the other two vehicles were carrying narcotics inside their vehicles. QUINTANA- SOTELO stated CBP officers conducted their search and located approximately (2) two kilos of fentanyl inside the vehicle. As a result, the cartel members contacted QUINTANA- SOTELO to inform him (QUINTANA-SOTELO) he owed \$45,000 due to the narcotics being seized. QUINTANA-SOTELO stated the cartel pressured him to do more crossings with narcotics and firearms. QUINTANA-SOTELO stated he resisted the cartel members instructions at first until the cartel members kidnapped QUINTANA-SOTELO's sister. This is when QUINTANA-SOTELO began responding to the cartel members requests and was instructed by them to travel and pick up the rifle in San Antonio, Texas.

Your affiant reviewed QUINTANA-SOTELO's criminal history which revealed QUINTANA- SOTELO to be convicted of a federal felony for the Illegal Importation of Marijuana. Your affiant consulted with an ATF interstate nexus expert who confirmed the firearm was not manufacturer in the state of Texas, therefore affecting interstate commerce.

Based on the facts contained in this affidavit, your Affiant believes that probable cause exists that on or about October 30, 2023, Eduardo Quintana-Sotelo, is believed to have violated the offense of 18 USC 933 (a)(3) Trafficking in Firearms.

FURTHER THE AFFIANT SAYETH NOT.

Zachary T Seeger
Zachary Ty Seeger
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives